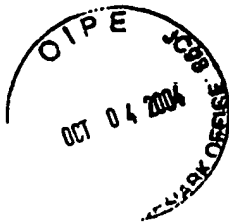


UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

| REQUEST FOR PATENT FEE REFUND | | | |
|---|-----------------------------------|--|----------------|
| 1 Date of Request: <u>1/30/06</u> | | 2 Serial/Patent # <u>10/815,944</u> | |
| 3 Please refund the following fee(s): | | 4 PAPER NUMBER | 5 DATE FILED |
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| <input checked="" type="checkbox"/> | Petition | | 10/4/04 \$ 130 |
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| | | 7 TOTAL AMOUNT OF REFUND \$ 130 | |
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| TYPED/PRINTED NAME: <u>C. Grant</u> | | TITLE: <u>acty</u> | |
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Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



PATENT

42186A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Thomas E. RICCIARDELLI et al. : Patent Art Unit: 1732
Serial No.: 10/815,944 : Examiner: S. Ahmed
Filed: April 2, 2004 :
For: PRODUCT AND PROCESS FOR :
PRODUCING A MOLDED PRODUCT :
FROM RECYCLED CARPET WASTE :

Adjustment date: 01/31/2006 CKHLQK
10/05/2004 SDENBOB1 00000002 10815944
02 FC:1460

-130.00 OP **PETITION UNDER 37 C.F.R. § 1.181
AND 37 C.F.R. § 1.53(e) TO ACCORD FILING DATE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.181 and 1.53(e), Applicants hereby petition the Commissioner to accept the above-identified application and accord the application the original filing date. The petition fee of \$130.00 is enclosed.

The Notice to File Missing Parts dated September 24, 2004 states that pages 5, 16 and 19 of the specification were missing from the application as originally filed. This application is a divisional application of the parent application and as such was a true and accurate copy of the parent application. This application claims the benefit of the parent application under 35 U.S.C. § 120. Replacement pages 5, 16 and 19 are enclosed.

The undersigned carefully reviewed our file copy of the application as originally filed and found the application complete and included the pages indicated as being missing in the Notice to File Missing Parts. Since the undersigned's file copy is complete, which is a copy

10/05/2004 SDENBOB1 00000002 10815944
02 FC:1460 130.00 OP

Repl'n. Ref: 01/31/2006 CKHLQK 0008532800
DAH:182220 Name/Number:10815944
FC: 9204 \$130.00 CR

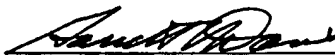
of the originally filed application, it is respectfully submitted that to the best of the undersigned's knowledge, the pages indicated in the Notice to File Missing Parts were in fact actually filed. In addition, it is the common practice of the undersigned to review all papers and particularly patent applications for completeness prior to filing in the U.S. Patent and Trademark Office. Furthermore, it would appear highly unlikely that three random pages of the original application could be missing that are present in the file copy of the undersigned.

Appended hereto is a copy of the date-stamped postcard acknowledging receipt of the application by the U.S. Patent and Trademark Office. As noted on the postcard, the specification included 27 pages.

In view of the review of the file by the undersigned, it is believed that the complete application including pages 5, 16 and 19 was originally filed. Accordingly, it is respectfully requested that this application be accorded the original filing date of April 2, 2004.

The Commissioner is hereby authorized to charge any application fees or petition fees which may become or credit any overpayment in connection with this application to our Deposit Account No. 18-2220.

Respectfully submitted,


Garrett V. Davis
Reg. No. 32,023

Roylance, Abrams, Berdo & Goodman, L.L.P.
1300 19th Street, N.W., Suite 600
Washington, D.C. 20036
(202) 659-9076

Dated: Oct 7, 2004